

REMARKS**I. Status**

The Office Action indicates claims 1-13, 16, and 18-29 to be pending in this Application. With this response, claims 1-3, 5, 6, 9, 12, 18, 20, 22-24, and 29 are amended. No new matter has been added.

Claims 1-13, 16, 18, and 22-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brandes (U.S. Patent No. 6,920,327) in view of Dorenbosch (U.S. Patent Application Publication No. 2004/0028009).

Claims 19-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brandes in view of Dorenbosch and Grilli (U.S. Patent Application Publication No. 2003/0002525).

Claims 1, 18, 20, and 22-24 are independent.

II. Amendment of Independent Claims 1, 18, 20, and 22-24

With this response, the Applicant amends claims 1, 18, 20, and 22-24. No new matter has been added.

The Applicant respectfully submits that the cited references, taken individually or in combination, fail, for example, to disclose, teach, or suggest:

“... determining to maintain to communicate, with completion of said handover, traffic via an uplink of the digital generally bi-directional communications service, wherein the traffic was communicated, prior to said handover, via the uplink”

as set forth in claim 1 as amended herewith (emphasis added), and as similarly set forth in each

of claims 22 and 23 as amended herewith.

As another example, the cited references, taken individually or in combination, fail to disclose, teach, or suggest:

“... determining to maintain to communicate, with completion of said handover, traffic via an uplink of the cellular mobile data communication domain, wherein the traffic was communicated, prior to said handover, via the uplink”

as set forth in each of claims 18 and 20 as amended herewith (emphasis added).

As an additional example, the cited references, taken individually or in combination, fail to disclose, teach, or suggest:

“... determine to maintain to communicate, with completion of said handover, traffic via an uplink of the digital generally bi-directional communications domain, wherein the traffic was communicated, prior to said handover, via the uplink”

as set forth in claim 24 as amended herewith (emphasis added).

The Office Action apparently equates the handoff of Dorenbosch with the “handover” of the claims prior to the amendment herewith, and apparently equates the first IP connection and the second IP connection of Dorenbosch with the “uplink” of the claims prior to the amendment herewith.

However, even if such equations were, for the sake of argument, taken to be valid, and even if the packet data communication of Dorenbosch were, for the sake of argument, equated with the “traffic” of the claims as amended herewith, Dorenbosch, taken alone or in combination with the other cited references, would still instead discuss that completing the handoff of Dorenbosch involves switching the packet data communication of Dorenbosch away from the first IP connection of Dorenbosch over to the second IP connection of Dorenbosch:

“[a]s an overview, the handoff from the cellular system to the wireless IP network shown in FIG. 2 includes setting up or initiating the first IP connection by informing the gateway 205 of the first IP address, IP A1, 217 using SCTP. Preferably this will be done by the first station 203. Then the method includes communicating a packet data communication, using an application that runs on SCTP, between station B 203 and the gateway using the first IP connection 219 and first IP address 217 for station B through the cellular network where the gateway does address translation and protocol translation, SCTP to or from TCP/UDP, and relays the packet data communication with (to or from) the second station 209. After setting up and using the first IP connection the next requirement for a seamless handoff is setting up the second IP connection 227 with a second IP address 225 for station B 203, where the first IP connection with the gateway remains a primary connection and the second IP connection is a secondary connection, with both existing concurrently. Then determining that the second IP connection should be the primary connection; and changing the second IP connection to the primary connection by informing the gateway that the second IP address is the primary address using SCTP messages, wherein the packet data communication is immediately switched over to the second IP connection completes the seamless handoff” (see Dorenbosch paragraph [0024]; emphasis added).

Should the Office Action contemplate a scenario in which “DISCONTINUING FIRST IP CONNECTION BY INSTRUCTING, USING SCPT, THE GATEWAY TO DELETE FIRST IP ADDRESS AND TERMINATE ASSOCIATION/CONNECTION” of Dorenbosch (see Dorenbosch Fig. 9 box 919; emphasis added) is not performed, the Applicant respectfully observes that even in such scenario it is still the case that completing the handoff of Dorenbosch involves switching the packet data communication of Dorenbosch away from the first IP connection of Dorenbosch over to the second IP connection of Dorenbosch.

In view of at least the foregoing, the Applicant respectfully submits that claims 1, 18, 20, and 22-24 at least as amended herewith, as well as those claims that depend therefrom,

are in condition for allowance.

III. Dependent Claims

The Applicant does not believe it is necessary at this time to further address the rejections of the dependent claims as the Applicant believes that the foregoing places the independent claims in condition for allowance. The Applicant, however, reserves the right to further address those rejections in the future should such a response be deemed necessary and appropriate.

(Continued on next page)

CONCLUSION

The Applicant respectfully submits that this application is in condition for allowance for which action is earnestly solicited.

If a telephone conference would facilitate prosecution of this application in any way, the Examiner is invited to contact the undersigned at the number provided.

AUTHORIZATION

The Commissioner is hereby authorized to charge any fees which may be required for this amendment, or credit any overpayment to Deposit Account No. 504827, Order No. 1004289.247US (4208-4281).

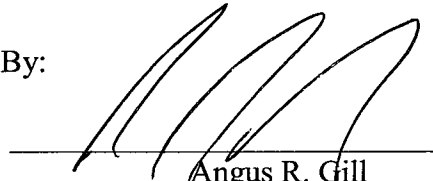
Furthermore, in the event that a further extension of time is required, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to the above-noted Deposit Account and Order No.

Respectfully submitted,

LOCKE LORD BISSELL & LIDDELL LLP

Dated: July 6, 2010

By:

A handwritten signature in black ink, appearing to read 'Angus R. Gill', is written over a horizontal line.

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